

### Remarks/Argument

#### 112 Objections

The Applicant has amended claims 1, 4, 8, 16, 19 and 22 to include the essential structural cooperative relationships of elements specified by the Examiner.

#### 102 Objections

The Examiner stated that claims 1-5, 7-13 and 18-22 are anticipated by Shaver. The Applicant submits that the amended independent claims 1, 8, 19 and 22 are not so anticipated. In particular, the amended claims add a limitation relating to the cradle, namely that the cradle is fixed to the upper bar. This is quite different from the cradle (36) and tines (38) of Shaver. In Shaver, the tines 38 are pivotable around the end of cradle (36), and are not in a fixed position at all. The “tines” of Shaver are not meant to be fixed at all, and when in position, as shown in Figure 1A of Shaver, are positioned downward from the cradle (36), i.e. the tines do not extend upwardly, as described in claims 1, 9 and 22.

The Examiner also states the claims 1-3, 5, 7-10, 12-13, and 18-22 are anticipated by Bernd. The Applicant submits that amended claims 1, 8, 19 and 22 are not so anticipated. A key difference between the amended claims and Bernd is that the cradle extends upwardly from the upper or horizontal bar. As in Bernd, the cradle is also the upper, or horizontal bar, it does not extend upwardly therefrom, and indeed cannot.

The Examiner also states the claims 19, 20 and 22 are anticipated by Preston. The Applicant submits that amended claims 19 and 22 are not so anticipated. In particular, the bicycle in claims 19 and 22 cannot be supported from the fork crown by the carrier disclosed in Shaver, as the down tube of the bicycle would prevent the cradle from reaching the fork crown.

As the Applicant submits independent claims 1, 8, 19 and 22 are not anticipated in light of Shaver, Preston and Bernd, the Applicant submits that the claims dependent therefrom are also not anticipated.

### 103 Objections

The Examiner states the claim 17 is obvious over Shaver and Johansson. The Applicant submits that claim 17, as dependent on amended claim 1 is not obvious. In particular, as stated above, amended claim 1 adds a limitation relating to the cradle, namely that the cradle is fixed to the upper bar. This is quite different from the cradle (36) and tines (38) of Shaver. In Shaver, the tines 38 are pivotable around the end of cradle (36), and are not in a fixed position at all. The “tines” of Shaver are not meant to be fixed, and when in position, as shown in Figure 1A of Shaver, are positioned downward from the cradle (36), i.e. the tines do not extend upwardly, as described in claim 1. Neither Shaver nor Johansson include these limitations.

### Conclusion

The Applicant submits the claims are in condition for allowance, which is respectfully requested.

Respectfully submitted,

/Daniel R. Polonenko/

By:

Daniel R. Polonenko (Reg. No. 59094)  
c/o Fasken Martineau DuMoulin LLP  
2900 – 550 Burrard Street  
Vancouver, British Columbia V6C 0A3  
Tel: 604-631-4743  
Fax: 604-632-4743